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FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

OCT 03 2023

SEAN F. McAVOY, CLERK
DEPUTY
SPOKANE, WASHINGTON

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

2:23-CR-111-TOR

Plaintiff,

INDICTMENT

v.

Vio.: 21 U.S.C. §§ 841(a)(1), (b)(1)(C)
846

KYLE CHILDRESS,

Conspiracy to Distribute Heroin
(Count 1)

Defendant.

18 U.S.C. §§ 922(g)(3), 924(a)(2)
Controlled Substance User in
Possession of a Firearm
(Count 2)

21 U.S.C. § 853, 18 U.S.C. § 924
28 U.S.C. § 2461(c)
Forfeiture Allegations

The Grand Jury charges:

COUNT 1

Beginning on a date unknown but by on or about October 2018, and continuing
to on or about July 16, 2019, in the Eastern District of Washington and elsewhere, the

1 Defendant, KYLE CHILDRESS, did knowingly and intentionally combine, conspire,
2 confederate and agree together with each other and with other persons, both known and
3 unknown to the Grand Jury, to commit the following offense against the United States:
4 distribution of a mixture or substance containing a detectable amount of heroin, in
5 violation of 21 U.S.C. § 841(a)(1), (b)(1)(C), all in violation of 21 U.S.C. § 846.
6
7

8 COUNT 2

9 On or about July 16, 2019, in the Eastern District of Washington, the Defendant,
10 KYLE CHILDRESS, knowing that he was an unlawful user of and addicted to a
11 controlled substance as defined in 21 U.S.C. § 802, did knowingly and intentionally
12 possess in and affecting commerce firearms, to wit:
13
14

- 15 – a Smith & Wesson Model MP-15 rifle bearing serial number 43682;
- 16
- 17 – a Smith & Wesson Model M&R 15-22, .22 caliber rifle bearing serial
18 number DEX4465;
- 19 – a Crescent Fire Arms Co. shotgun with no visible serial number;
- 20
- 21 – a Ruger Model M77 Mark II, 7mm rifle bearing serial number 788-25922;
- 22 – a Mossberg model 500, 12-gauge shotgun bearing serial number U260579;
- 23 – a Smith & Wesson Model 642 Airweight, .38 caliber revolver bearing serial
24 number CPL9551;
- 25 – a Ruger Model Mark II, .22 caliber pistol bearing serial number 18-51080;
- 26
- 27 – a Colt Model Challenger, .22 caliber pistol bearing serial number 15028-C;
- 28

- 1 – a Winchester Model 70, .338 caliber rifle bearing serial number G57414;
- 2 – a Savage Model 311, 16-gauge shotgun with no visible serial number;
- 3
- 4 – a SKB Arms Model 500. 12-gauge shotgun bearing serial number
- 5 S5505449;
- 6 – a Mossberg Model 835. 12-gauge shotgun bearing serial number
- 7 UM15719;
- 8 – a Norinco Model SKS, 762 caliber rifle bearing serial number R24000702;
- 9
- 10 – a Remington Arms Model 30, .30 caliber rifle bearing serial number
- 11 20431;
- 12 – a Marlin Firearms Co. Model 781, .22 caliber rifle bearing serial number
- 13 27513761;
- 14 – a Beretta Model AL391 XTREMA2, 12-gauge shotgun bearing serial
- 15 number AG115213;
- 16 – a Tikka Model T3, 300 caliber rifle bearing serial number K05598;
- 17
- 18 – a Marlin Firearms Co. Model 36, 30-30 caliber rifle bearing serial number
- 19 D17390;
- 20 – a Ranger Arms Co..22 caliber rifle with no visible serial number;
- 21
- 22 – a Remington Arms Model 870, 12-gauge shotgun bearing serial number
- 23 665393X;
- 24 – a Winchester Model 120, 12-gauge shotgun bearing serial number
- 25 L1750587;
- 26 – a Winchester unknown model, 30-06 caliber rifle bearing serial number
- 27 G1743565;
- 28

- 1 – a DPMS Model Panther LR-308, .308 caliber rifle bearing serial number
- 2 136720;
- 3 – a Remington Arms Model 870, 12-gauge shotgun bearing serial number
- 4 RS17393E;
- 5 – a Springfield Armory Model 1911A1, .45 caliber pistol bearing serial
- 6 number NM364933; and,
- 7 – a Winchester model 37, 20-gauge shotgun with no visible serial number,
- 8

9 which firearms had theretofore been transported in interstate and foreign commerce, all
10 in violation of 18 U.S.C. §§ 922(g)(3), 924(a)(2).
11

12 NOTICE OF CRIMINAL FORFEITURE ALLEGATIONS

13 The allegations contained in this Indictment are hereby realleged and
14
15 incorporated herein by this reference for the purpose of alleging forfeitures.

16 Pursuant to 21 U.S.C. § 853 upon conviction of an offense of violation of
17
18 21 U.S.C. § 841 as set forth in Count 1 in this Indictment, Defendant, KYLE
19 CHILDRESS, shall forfeit to the United States of America, any property
20
21 constituting, or derived from, any proceeds obtained, directly or indirectly, as the
22
23 result of such offense(s) and any property used or intended to be used, in any
24
25 manner or part, to commit or to facilitate the commission of the offense(s).

26 If any forfeitable property, as a result of any act or omission of the
27 Defendant:

- 28 a. cannot be located upon the exercise of due diligence;

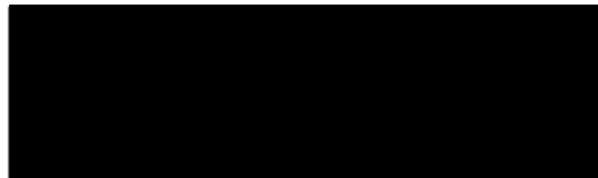
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty;

the United States of America shall be entitled to forfeiture of substitute property pursuant to 21 U.S.C. § 853(p).

Pursuant to 18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c), upon conviction of an offense in violation of 18 U.S.C. §922(g)(3), 924(a)(2), as set forth in Count 2 of this Indictment, the Defendant, KYLE CHILDRESS, shall forfeit to the United States of America, any firearms and ammunition involved or used in the commission of the offense.

DATED: this 3 day of October, 2023.

A TRUE BILL



Vanessa R. Waldref

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United States Attorney

Caitlin Baunsgard

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